APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/883,585	06/18/2001	James H. Jen	MICR0246	1233

EXAMINER
NGUYEN, THU HA T

ART UNIT	PAPER NUMBER
2155	

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DATE MAILED: 09/22/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	09/883,585	JEN ET AL.
	Examiner	Art Unit
	Thu Ha T. Nguyen	2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *18 June 2001*.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-32* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-32* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

1.   Claims **1-32** are presented for examination.

2.   The title of the invention is not descriptive. A new title is required that is

clearly indicative of the invention to which the claims are directed.

Claim Rejections - 35 USC § 112

3.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly
> claiming the subject matter which the applicant regards as his invention.

4.   Claim 18 is rejected under 35 U.S.C. 112, second paragraph, as being

indefinite for failing to particularly point out and distinctly claim the subject matter which

applicant regards as the invention. Claim 18 directs to a computer system for utilizing

personal information to customize an application program cannot be depended on claim

14 of the method claim. Appropriate correction is required.

Claim Rejections - 35 USC § 102

5.   The following is a quotation of the appropriate paragraphs of 35 U.S.C.

§ 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless --
> (e) the invention was described in (1) an application for patent, published under section 122(b), by
> another filed in the United States before the invention by the applicant for patent or (2) a patent
> granted on an application for patent by another filed in the United States before the invention by the
> applicant for patent, except that an international application filed under the treaty defined in section
> 351(a) shall have the effects for purposes of this subsection of an application filed in the United States
> only if the international application designated the United States and was published under Article 21(2)
> of such treaty in the English language.

6.   Claims 1-5, 7-13, 15-21, 23-29 and 31-32 are rejected under 35 U.S.C.

§ 102(e) as being anticipated by **Hayes, Jr. et al.** (hereinafter Hayes, Jr.) U.S. Patent

No. **6,339,826**.

7.   As to claim 1, Hayes, Jr. teaches the invention as claimed, including a

method for utilizing personal information to customize an application program,

comprising the steps:

receiving personal information corresponding to a unique user identity (col. 1,

lines 56-col. 2, lines 30, col. 6, lines 57-col. 8, lines 5);

creating a user record for each unique user identity including the personal

information (col. 1, lines 56-col. 2, lines 4, col. 6, lines 57-col. 8, lines 5);

storing multiple user records with personal information that corresponds to a

plurality of unique user identifies (col. 9, lines 6-12, col. 14, lines 7-67, col. 15, lines 24-

36); and

sharing the personal information with the application program, wherein the

personal information is applied to an output of the application program (abstract, col. 14,

lines 4-67, col. 15, lines 37-58).

8.   As to claim 2, Hayes, Jr. teaches the invention as claimed, further

comprising the steps of:

in response to receiving new personal information corresponding to the unique

user identity, retrieving the user record including the personal information (col. 12, lines

33-59, col. 17, lines 65-col. 18, lines 30);

modifying the user record including the personal information with the new

personal information (col. 12, lines 33-59, col. 14, lines 7-67); and

sharing the new personal information with the application program, wherein the

new personal information is applied to an output of the application program (abstract,

col. 14, lines 4-67, col. 15, lines 37-58).

9.   As to claim 3, Hayes, Jr. teaches the invention as claimed, further

comprising the steps of :

in response to receiving new personal information corresponding to a new unique

user identity, creating a user record including the new personal information

corresponding to the new unique user identity (col. 7, lines 54-col. 8, lines 5, col. 14,

lines 7-col. 15, lines 36); and

sharing the new personal information corresponding to the new unique user

identity with the application program, wherein the new personal information

corresponding to the new unique user identity is applied to an output of the application

program (abstract, col. 14, lines 4-67, col. 15, lines 37-58).

10.   As to claim 4, Hayes, Jr. teaches the invention as claimed, further

comprising the steps of :

in response to receiving a change in user identity, retrieving the user record

corresponding to the changed user identity (col. 7, lines 54-col. 8, lines 5, col. 14, lines

7-col. 15, lines 36); and

sharing personal information associated with the user record corresponding to

the changed user identity with the application program, wherein the personal

information associated with the user record corresponding to the changed user identity

is applied to an output of the application program (abstract, col. 14, lines 4-67, col. 15,

lines 37-58).

11.   As to claim 5, Hayes, Jr. teaches the invention as claimed, further

comprising the step of storing the user record in a framework identity database (figure

2).

12.   As to claim 7, Hayes, Jr. teaches the invention as claimed, wherein the

step of receiving personal information corresponding to a unique user identity further

comprises receiving the personal information through a user interface (figure 2).

13.   As to claim 8, Hayes, Jr. teaches the invention as claimed, wherein the

step of receiving personal information corresponding to a unique user identity further

comprises receiving new or previously stored personal information from a computer or a

network (col. 7, lines 54-col. 8, lines 5, col. 14, lines 7-col. 15, lines 36).

14.   As to claim 9, Hayes. Jr. teaches the invention as claimed, wherein the step of sharing the personal information with the application program further comprises customizing an output of the application program using the personal information (abstract, col. 14, lines 4-67, col. 15, lines 37-58).

15.   As to claim 10, Hayes, Jr. teaches the invention as claimed, wherein the user interface consists of at least one of the following group: a graphical user interface, a mouse, a keyboard, a touch-sensitive display screen, voice recognition interface (figures 1-2).

16.   As to claim 11, Hayes, Jr. teaches the invention as claimed, wherein personal information consists of at least one of the following group: a user name, address, telephone number, picture, speech pattern, a preference, or a list (col. 1, lines 56-col. 2, lines 4, col. 14, lines 50-67).

17.   As to claim 12, Hayes, Jr. teaches the invention as claimed, wherein personal information consists of at least one of the following group: a dictionary, an auto-correct list, a menu option, dialog layout, a dictionary or grammar setting, a help list, or a user preference list (figures 12-24).

18.   As to claim 13, Hayes, Jr. teaches the invention as claimed, wherein the output consists of at least one of the following group: a document, a template, a wizard, a command, a tab, a preference, or a feature (figures 12-24).

19.   As to claim 15, Hayes, Jr. teaches the invention as claimed, wherein the application program comprises a plurality of application programs (col. 9, lines 5-12).

20.   As to claim 16, Hayes, Jr. teaches the invention as claimed, wherein the step of receiving personal information further comprises receiving personal information from a second application program (col. 7, lines 54-col. 8, lines 5, col. 14, lines 7-col. 15, lines 36).

21.   As to claim 17, Hayes, Jr. teaches the invention as claimed, including a computer system for utilizing personal information to customize an application program comprising:

a memory for storing an application program and a framework identity database (figure 2); and

a processing unit functionally coupled to the memory for executing computer-executable instructions operable for: receiving personal information corresponding to a unique user identity (col. 1, lines 56-col. 2, lines 30, col. 6, lines 57-col. 8, lines 5);

creating a user record for each unique user identity including the personal information (col. 1, lines 56-col. 2, lines 4, col. 6, lines 57-col. 8, lines 5);

storing multiple user records with personal information that corresponds to a

plurality of unique user identities (col. 9, lines 6-12, col. 14, lines 7-67, col. 15, lines 24-

36); and

sharing the personal information with the application program, wherein the

personal information is applied to an output of the application program (abstract, col. 14,

lines 4-67, col. 15, lines 37-58).

22.   As to claim 18-21, 23-29, and 31-32, they are system claims directed for

utilizing personal information to customize an application program of method claims 2-5,

7-13 and 15-16. Claims 18-21, 23-29, and 31-32 have similar limitations to claims 2-5,

7-13 and 15-16; therefore, they are rejected under the same rationale.

Claim Rejections - 35 USC § 103

23.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for

all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed
> or described as set forth in section 102 of this title, if the differences between the
> subject matter sought to be patented and the prior art are such that the subject
> matter as a whole would have been obvious at the time the invention was made
> to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was
> made.

24.   Claims 6, 14, 22, and 30 are rejected under 35 U.S.C. § 103 (a) as being

unpatentable over **Hayes, Jr.**, in view of **Alfred et al.** (hereinafter Alfred) U.S.

Publication No. **2003/0120496**.

25.   As to claim 6, Hayes, Jr. does not explicitly teach the invention as claimed;

however, Alfred teaches wherein the step of receiving personal information further

comprises, sending the personal information to a shared code library for one or more

application programs, wherein the shared code library sends the personal information to

the framework identity database (paragraphs 0016, 0018, 0024-0025). It would have

been obvious to one of ordinary skill in the Data Processing art at the time of the

invention was made to combine the teachings of Hayes, Jr. and Alfred to have sending

the personal information to a shared code library wherein the shared code library sends

the personal information to the framework identity database because it would have an

efficient communications system that can store the user profile in the memory and

based on that user profile to permit and/or provide user access application programs.

26.   As to claim 14, Hayes, Jr. does not explicitly teach the invention as

claimed; however, Alfred teaches wherein the application program consists of at least

one of the following group: word processor, an electronic spreadsheet, a graphical

presentation program, an electronic personal information manager, or an electronic mail

program (paragraph 0016). It would have been obvious to one of ordinary skill in the

Data Processing art at the time of the invention was made to combine the teachings of

Hayes, Jr. and Alfred to have the same motivation as set forth in claim 6, supra.

27.   As to claim 22 and 30, they are system claims directed for utilizing

personal information to customize an application program of method claims 6 and 14.

Claims 22 and 30 have similar limitations to claims 6 and 14; therefore, they are

rejected under the same rationale.

Conclusion

28.   The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure.

29.   Freishtat et al. (6,317,783), Lawson et al. (2002/0161766), Jarvensivu

(2002/0188736) are recited for disclosing various information related to the claimed

invention. Applicants are requested to consider these prior art references when

responding to this office action.

30.   Any inquiry concerning this communication or earlier communications from

the examiner should be directed to Thu Ha Nguyen, whose telephone number is (703)

305-7447. The examiner can normally be reached Monday through Friday from 8:00

AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Hosain T. Alam, can be reached at (703) 308-6662.

Any inquiry of a general nature of relating to the status of this application should

be directed to the Group receptionist whose telephone number is (703) 305-9600.

The fax phone numbers for the organization where this application or proceeding

is assigned are 703-872-9306 for regular communications.

Thu Ha Nguyen

September 17, 2004

HOSAIN ALAM
SUPERVISORY PATENT EXAMINER